



STATE OF DELAWARE  
DEPARTMENT OF SAFETY AND HOMELAND SECURITY  
DIVISION OF STATE POLICE  
P.O. BOX 430  
DOVER, DELAWARE 19903

October 22, 2012

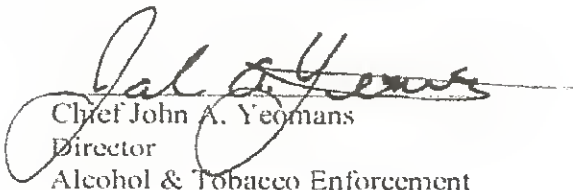
Dear Sir/Madam:


The Delaware State Police has been made aware that a number of social organizations, clubs and businesses have been permitting patrons to play gambling devices in their establishments. This letter is to clarify your responsibilities in this area and to urge you to remove these machines or face significant liability.

A "gambling device" includes any machine into which a coin or token is inserted and, depending on the elements of chance, something of value may be dispensed. It is not necessary that the "value" be cash. If you possess machines that dispense cash or tickets, coupons or other tokens that are redeemable for something of value, you have gambling devices on your premises and you are permitting gambling to occur. You are in legal jeopardy.

Under Rule 40 of the Alcohol Beverage Control Board regulations, an organization, club or business that permits illegal gambling on its premises is subject to administrative penalties, including revocation of its liquor license. This rule is enforced by officers of the Division of Alcohol and Tobacco Enforcement. Further, both possession of a gambling device and providing a premise where gambling occurs are crimes under the Delaware Code, Title 11 Section 1405 and 1404. These laws are enforced by the Delaware State Police. In either case, enforcement will likely result in confiscation of any gambling device located on the premises.

The State will continue to monitor compliance with these laws and/or rules, and any person or establishment found in violation will be subject to administrative penalties and/or criminal prosecution. If you have any questions, please feel free to email Lt. Marshall Craft at [marshall.craft@state.de.us](mailto:marshall.craft@state.de.us) or Agent James Diana at [james.diana@state.de.us](mailto:james.diana@state.de.us). Thank you for your prompt attention to this matter.

  
Chief John A. Yeomans  
Director  
Alcohol & Tobacco Enforcement

  
Colonel Robert M. Coupe  
Superintendent  
Delaware State Police